

1 R307. Environmental Quality, Air Quality.

2 **R307-424. Permits: Mercury Requirements for Electric Generating**
3 **Units.**

4 **R307-424-1. Purpose and Applicability.**

5 The purpose of R307-424 is to regulate mercury emissions
6 from any coal-fired electric generating unit (EGU). R307-424
7 applies to any coal-fired electric generating unit as defined in
8 40 CFR 60.24.

10 **R307-424-2. Part 70 Permit.**

11 Sources meeting the applicability requirements of R307-424-
12 1 above, and also meeting the applicability requirements of R307-
13 415-4, are required to obtain a mercury (Hg) budget permit in
14 accordance with R307-224-2(1)(a).

16 **R307-424-3. Offset Requirement: Mercury.**

17 Sources meeting the applicability requirements of R307-424-
18 1 above and making application for an approval order under R307-
19 401 shall, in addition to any other requirement for obtaining
20 such approval order, obtain an enforceable offset for any
21 potential increase in mercury emissions in accordance with the
22 following:

23 (1) The permitted increase in mercury emissions,
24 considering the application of any control method or
25 device, shall be offset by mercury emission credits at a
26 ratio of 1 to 1.1 respectively.

27 (2) The averaging period for such determinations shall
28 be a 12-month period.

29 (3) Mercury emission credits must be obtained from an
30 EGU located within the State of Utah, including any EGU
31 located on Indian lands within the State.

32 (4) To preserve reductions in mercury emissions as
33 credits for use in offsetting potential increases, the
34 executive secretary must identify such credits in an order
35 issued pursuant to R307- 401 and shall provide a registry
36 to identify the person, private entity or governmental
37 authority that has the right to use or allocate the banked
38 emission reduction credits, and to record any transfers of,
39 or liens on, these rights.

40 (5) Any emission offsets shall be enforceable by the
41 time a new or modified source commences construction, and,
42 by the time a new or modified source commences operation,
43 any emission offsets shall be in effect and enforceable.

44 (6) The quantity of mercury emission reductions to be
45 used for credit will be determined in accordance with 40
46 CFR part 75, or will be based on the best available data
47 reported to the executive secretary. To the extent that
48 the EGU has been subject to the requirements of part 75,

mercury emissions data shall be the average of the 3 highest annual amounts over the most recent 5-year period.

(7) R307-424-3 shall not apply to any EGU for which a valid approval order was issued prior to November 17, 2006.

R307-424-4. Emission Rates.

(1) By no later than December 31, 2012, the owner or operator of any EGU with an input heat capacity in excess of 1,500 MMBtu per hour and having commenced operations prior to November 17, 2006, shall demonstrate compliance with at least one of the following:

(a) A maximum emission rate of 6.50×10^{-7} pounds mercury per million btu heat input; or

(b) A minimum of 90% control of total mercury emissions.

(2) Compliance with (1) above shall be based on an annual averaging period beginning January 1 and ending December 31.

(a) Beginning January 1, 2013, compliance shall be determined using the monitoring and recordkeeping requirements incorporated under R307-224-2. Upon completion of each year's fourth quarterly report, an assessment shall be made for the entire calendar year and reported to the executive secretary within 30 days.

(b) Where it is necessary to determine the mercury content of the coal or coals burned, the owner or operator shall use the appropriate ASTM method, and shall measure at least one representative sample each month. Records of such testing shall be kept for a period of at least five years, and shall be made available to the executive secretary upon request.

(3) Should an EGU be found in noncompliance with (1) above, despite properly operating the unit in conjunction with a baghouse as well as wet or dry flue gas de-sulfurization, the owner or operator may petition the executive secretary for a modification to the limits therein in accordance with R307-401.

KEY: air quality, mercury, offset, permitting authority

Date of Enactment or Last Substantive Amendment: 2007

Authorizing, Implemented, or Interpreted Law: 19-2-101, 19-2-104(3)(q), 40 CFR 60.24